

## REMARKS

This is intended as a full and complete response to the Office Action dated September 3, 2008, having a shortened statutory period for response set to expire on December 3, 2008. Please reconsider the claims pending in the application for reasons discussed below.

Claims 1-5, 31-35, and 39 are rejected by the Examiner and claims 36-38 are withdrawn.

Claims 1, 4, 5, 31-35, and 39 remain pending in the application after entry of this response. Claim 1 has been amended. No new matter has been added by the amendment. Claims 2, 3, and 36-38 have been canceled without prejudice.

### ***Claim Rejections Under 35 USC § 103***

Claims 1, 2, 31, 32, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Trago* (US 5,929,549) in view of *Gayral* (US 3,334,252). Claim 1 has been amended to incorporate claims 2 and 3. Withdrawal of the rejection is respectfully requested.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Trago* in view of *Gayral* and further in view of *Allen* (US 2005/0057106). As the rejection of claim 3 may now apply to amended claim 1, Applicant respectfully traverses.

*Allen* actually teaches that the spacer 22 used in an electric machine is not integral with the stator 10 of the electrical machine but is rather separated from the stator by an air gap or is in direct contact with the stator 10 (e.g. Figs. 1 and 4 and paragraph [0040]). The spacer 22 cannot, therefore, be considered to be a projection of the stator as recited in amended claim 1.

Although the spacer 22 in *Allen* is described as being thermally conductive in some embodiments, the stator is described exclusively in the abstract and the detailed description as an "electrically insulating spacer". Such a spacer is described as being advantageous at paragraph [0033] because it reduces the likelihood of such phase-to-phase discharges both by preventing the deterioration of the insulating material of the winding 12 (by preventing movement of the windings during load conditions) and

reducing the possibility of an inter-winding short circuit. Thus, the electrically insulating spacer 22 must necessarily be separate from the stator laminations which are formed of a magnetically permeable material which is normally an electrically conductive material such as steel. Thus, *Allen* actually teaches away from the use of stator projections and claim 1, as amended, is non-obvious in view of *Trago* when combined with *Gayral* and *Allen* since none of these documents either alone or in combination teach or in any way suggest the use of such stator projections.

Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Trago* in view of *Gayral* and further in view of *Yamamura* (US 6,914,356). Claim 1 has been amended to incorporate claims 2 and 3. Withdrawal of the rejection is respectfully requested.

Claims 33 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Trago* in view of *Gayral* and further in view of *Umeda* (US 5,998,903). Claim 1 has been amended to incorporate claims 2 and 3. Withdrawal of the rejection is respectfully requested.

Claim 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Trago* in view of *Gayral* and further in view of *Hoover* (US 2,233,890). Claim 1 has been amended to incorporate claims 2 and 3. Withdrawal of the rejection is respectfully requested.

Claim 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Trago et al.* in view of *Gayral* and *Allen* and further in view of *Hoover*. Claim 1 has been amended to incorporate claims 2 and 3. Withdrawal of the rejection is respectfully requested.

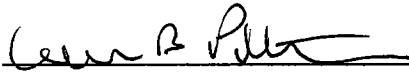
Claim 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Trago et al.* in view of *Gayral* and *Yamamura* and further in view of *Hoover*. Claim 1 has been amended to incorporate claims 2 and 3. Withdrawal of the rejection is respectfully requested.

Claim 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Trago et al.* in view of *Gayral* and *Umeda et al.* and further in view of *Hoover*. Claim 1 has been amended to incorporate claims 2 and 3. Withdrawal of the rejection is respectfully requested.

**Conclusion**

Having addressed all issues set out in the office action, Applicant respectfully submits that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,



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